

Amendment under 37 CFR 1.111
Application No. 09/994,686
Attorney Docket No. 042207

REMARKS

Claims 1-12 are pending in the application. Claim 1 has been amended. No claims have been canceled. In light of the amendment to claim 1 and the accompanying remarks, applicants request favorable reconsideration.

Foreign Priority:

It is submitted that a claim for priority was properly made and that certified copy of the priority document was filed in the present application on November 28, 2001.

Accordingly, Applicants respectfully request that the U.S. Patent and Trademark Office acknowledge the claim for foreign priority under 35 U.S.C. 119 for the above-identified application.

On the Merits

The Office Action rejected claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over *Shintani* (US Patent 6,721,018) in view of *Shoda* (JP Patent JP411032267A).

This rejection is respectfully traversed.

Independent Claim 1:

Claim 1 requires in part:

a first CPU; and a second CPU, the first CPU being in charge of existent station channel search processing on the side of the digital tuner, the second CPU being in charge of existent station channel search processing on the side of the analog tuner, a frequency to be received by each tuner being changed independently by each CPU, channel searches by the first CPU and the second CPU being concurrently conducted.

Support for the amendment to claim 1 may be found in paragraphs 23 and 25 of the present application. With regard to the analog tuner, paragraph 23 states in part:

The sub-CPU 21 has in a ROM (not shown) a program for the existent station channel search processing for the terrestrial wave analog broadcasting, and *performs the existent station channel search processing for the terrestrial wave analog broadcasting* in place of the main CPU 18 when it receives a search command from the main CPU 18. Emphasis added.

Paragraph 25 states in part:

the sub-CPU 21 which has received the channel search start command sets the lowest frequency, for example, in the analog tuner 4, and causes the analog tuner 4 to perform a channel selection operation....

Thus, as is apparent from the above descriptions, the sub-CPU 21 is in charge of a frequency to be received by, for example, the analog tuner. Additionally, figure 2 shows a description of a search processing command. Specifically, note that on the “sub-CPU” side, a frequency to be received by the analog tuner is shown to be independently changed by the “sub-CPU.”

Paragraph 24 further defines an embodiment of the invention and discloses, “the existent station channel search for the terrestrial wave digital broadcasting shall be performed by the main CPU 18.” Thus the frequency to be received in the digital tuner is changed independently by the main CPU.

As such, the first control is a control in which the first CPU instructs a frequency to be received sequentially to the second CPU changing independently a frequency that the tuner in charge should receive. That is, a frequency to be received is instructed from the first CPU to the second CPU, and its reception result is reported to the first CPU. The first CPU which receives such report instructs the next frequency to be received to the second CPU.

The second control is a control which changes independently a frequency to be received by each tuner under control of each CPU.

In the outstanding action, while the Examiner contends that *Shintani* discloses a digital and analog broadcasting receiver with a digital and analog tuner, with the first CPU being in charge of controlling both tuners during channel searches, the Examiner acknowledges that the primary reference of *Shintani* does not disclose a second CPU in charge of channel searches conducted by the analog tuner.

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The Examiner contends that the secondary reference of *Shoda* discloses these features; a first CPU in charge of a first tuner, and a second CPU in charge of a second tuner. The Examiner cites to the English translation of the abstract and to figure 1 to show these features.

However, in *Shoda*, there is no description that demultiplexer & CPU 15 and the main CPU 52 independently change the frequency that each tuner in charge should receive. Thus, there is no necessity of selecting the second control, even if the references of *Shintani* and *Shoda* are combined. As such, even if *Shintani* is combined with *Shoda*, such combination would not disclose or fairly suggest the new feature mentioned above and required by claim 1 regarding “a frequency to be received by each tuner being changed independently by each CPU.”

For at least these reasons, it is submitted that the Examiner has failed to establish a *prima facie* case of obviousness and therefore the obviousness rejection of claim 1 should be withdrawn.

Dependent Claim 2:

Dependent claim 2 requires in part, “...the first CPU instructs the second CPU to start the existent station channel search and performs the existent station channel search processing on the side of the digital tuner....” Emphasis added.

The Office Action asserts this feature is disclosed in the primary reference of *Shintani* in column 4, lines 45-52. There *Shintani* states:

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When a channel map is to be created, the processor (104) will use the two tuners (101, 102) in parallel to scan the range of available frequencies and locate receivable channels. Under the principles of the present invention, the processor (104) can control the switching circuit (103) and the two tuners (101, 102) so as to simultaneously tune different channels with the two tuners (101, 102).

Applicants submit that *Shintani* does not disclose “the first CPU instructs the second CPU to start the existent station channel,” as required by claim 2. *Shintani* cannot disclose this feature because *Shintani* only discloses one CPU.

Additionally, *Shoda* does not disclose the required feature of claim 2. Neither in the text, nor in the drawings does *Shoda* appear to disclose “the first CPU instructs the second CPU to start the existent station channel,” as required by claim 2.

Dependent Claims 3-12:

As dependent claims 3-12 ultimately dependent upon independent claim 1, applicants submit that the rationale provided above regarding claim 1 also apply to its dependent claims. Applicants respectfully request favorable reconsideration of the claims.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

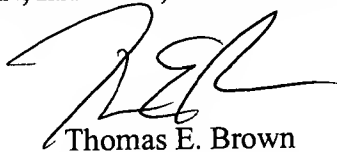
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If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned agent to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'TEB', is positioned above the printed name of the signatory.

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